Meeting of States Parties

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Report of the twenty-seventh meeting of the Meeting of States Parties

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[a] The annexes are available in English only.

I. Introduction

1. The twenty-seventh meeting of the Meeting of States Parties to the United Nations Convention on the Law of the Sea was held at United Nations Headquarters from 12 to 15 June 2017,[1] in accordance with article 319, paragraph 2 (e), of the United Nations Convention on the Law of the Sea[2] and paragraph 54 of General Assembly resolution 71/257.

2. The meeting was attended by representatives of States parties to the Convention and observers, including the International Seabed Authority, the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea.[3,4]

II. Organization of work

A. Opening of the meeting and election of officers

3. The Vice-President of the twenty-sixth meeting of the Meeting of States Parties, Amrith Rohan Perera (Sri Lanka), opened the twenty-seventh meeting on behalf of the President of the twenty-sixth meeting, Georgina Guillén Grillo (Costa Rica).

4. The Meeting observed a minute of silent prayer or meditation.

5. The Meeting elected Helga Hauksdóttir (Iceland) as President of the twenty-seventh meeting, by acclamation.

6. The Meeting elected Mohamed Atlassi (Morocco), Inga Kanchaveli (Georgia), Shaharuddin Onn (Malaysia) and Craig Powell (Bahamas) as Vice-Presidents, by acclamation.

Statement by the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel

7. In his statement,[1] the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel highlighted the continued relevance of the Convention and its goals: the peaceful use of the oceans; the equitable and efficient utilization of their resources; the conservation of their living resources; and the study, protection and preservation of the marine environment. He noted that, in the call for action entitled "Our Ocean, our future", adopted by the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, held from 5 to 9 June 2017, Member States affirmed the need to enhance the conservation and sustainable use of the oceans and their resources by implementing international law as reflected in the Convention, which provides the legal framework for the conservation and sustainable use of the oceans and their resources, as recalled in paragraph 158 of the annex to General Assembly resolution 66/288 entitled "The future we want".

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[1] The meeting was scheduled to be held from 12 to 16 June 2017, but the States Parties completed their work early. Statements submitted by delegations and speakers for circulation, as well as relevant documents and information provided by the secretariat, are available from http://papersmart.unmeetings.org/convention-treaty/los/un-los/27th-meeting/.

[2] United Nations, *Treaty Series*, vol. 1833, No. 31363.

[3] See rules 5, 18, 37 and 38 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4).

[4] The list of participants in the twenty-seventh meeting of the Meeting of States Parties is available from the website of the Meeting.

B. Adoption of the agenda and organization of work

8. The Meeting adopted the agenda (SPLOS/314) and approved the organization of work, as outlined by the President, on the understanding that the latter could be adjusted as necessary to ensure the efficient conduct of the meeting.

III. Credentials Committee

A. Appointment of the Credentials Committee

9. On 12 June 2017, pursuant to rule 14 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4), the Meeting appointed a Credentials Committee consisting of the following nine States parties: Algeria, Brazil, Brunei Darussalam, Finland, Haiti, Lesotho, New Zealand, Slovenia and the State of Palestine.

10. The Credentials Committee held its meeting on 13 June 2017. It elected Barbara Kremžar (Slovenia) as Chair and Reem Julia Mansour (State of Palestine) as Vice-Chair, by acclamation.

B. Report of the Credentials Committee

11. The Chair of the Credentials Committee introduced its report (SPLOS/315) on 14 June 2017. She stated that the Committee had examined and accepted the credentials of representatives to the twenty-seventh meeting from 157 States parties, of which 106 had been found to be in due form. Fifty-one provisional notifications had been received on the understanding that formal credentials would be communicated to the secretariat as soon as possible. The Chair also noted that information had been received from the delegation of the European Union to the United Nations concerning the appointment of representatives.

12. The Meeting approved the report of the Credentials Committee, on the understanding that the credentials would continue to be valid, in accordance with rule 1 of the Rules of Procedure, until the twenty-eighth meeting convened (see SPLOS/263, para. 101). The Meeting also accepted, on the same understanding, credentials[5] and information concerning the appointment of representatives[6] received after the report had been approved, eventually bringing the total number of States parties participating in the meeting, including the European Union, to 168.

IV. Matters relating to the International Tribunal for the Law of the Sea

A. Report of the Tribunal for 2016

13. The President of the Tribunal, Judge Vladimir Golitsyn, introduced the annual report for 2016 (SPLOS/304)[1] and provided an overview of the activities of the Tribunal and the work carried out during its forty-first and forty-second sessions, which had been devoted to legal, judicial, organizational and administrative matters. He also provided information on developments of the work of the Tribunal that had taken place in 2017 before the present meeting.

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[5] From Ecuador, Fiji, Greece, Lebanon, Mozambique, Qatar and Sweden.

[6] Of Belize, Benin, Comoros, Dominica, Guinea-Bissau, Mali, the Niger, Saint Kitts and Nevis, Senegal and Zimbabwe.

14. The President paid tribute to the late Judge Antonio Cachapuz de Medeiros (Brazil).[7]

15. The President expressed appreciation to the Deputy Registrar of the Tribunal since 25 June 2002, Doo-young Kim (Republic of Korea), who was retiring. On 15 March 2017, the Tribunal had elected Ximena Hinrichs (Chile) as Deputy Registrar for a term of five years, with effect from 25 June 2017.

16. The President described in detail the work of the Tribunal on judicial matters during 2016, drawing attention to the wide range of substantive and procedural issues.

17. With regard to the *M/V "Norstar" Case (Panama v. Italy)*, the President noted that the Tribunal had delivered on 4 November 2016 a judgment on the preliminary objections raised by Italy on 11 March 2016 concerning the jurisdiction of the Tribunal and the admissibility of the application of Panama. He recalled that the Tribunal had found that it had jurisdiction to adjudicate upon the dispute and that the application of Panama was admissible. The proceedings on the merits had therefore resumed.

18. Referring to the *Dispute Concerning Delimitation of the Maritime Boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean (Ghana/Côte d'Ivoire)*, the President informed the participants that the oral proceedings on the case had taken place from 6 to 16 February 2017. He noted that the special chamber established to adjudicate upon the dispute was deliberating and was expected to deliver its judgment by the end of September 2017.

19. The President informed the participants of the events organized to commemorate the twentieth anniversary of the establishment of the Tribunal, in particular the solemn ceremony that had taken place on 7 October 2016 in Hamburg, Germany, during which statements had been made by officials, including the Secretary-General of the United Nations, the President of Germany, the First Mayor of Hamburg and himself. He highlighted other events organized to mark the occasion.

20. The President informed the participants of the capacity-building and training activities undertaken by the Tribunal in 2016 and 2017, which included a programme on dispute settlement under the Convention, the internship programme and the annual summer academy organized by the International Foundation for the Law of the Sea, as well as the most recent regional workshop on the settlement of disputes relating to the law of the sea, held in Costa Rica on 5 and 6 June 2017.

21. The President referred to the development of an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. On the assumption that such an agreement would incorporate a dispute-settlement mechanism based on the provisions of part XV of the Convention, the President expressed the view that such a mechanism should include the possibility of requesting advisory opinions from the Tribunal on matters arising from the new agreement.

22. In the ensuing discussions, several delegations highlighted the importance of the work of the Tribunal and its contribution to the rule of law at sea, including in the peaceful settlement of international maritime disputes with regard to the interpretation and application of the Convention and the progressive development of the law of the sea. The role of the Tribunal in preserving the balance achieved in the Convention was underscored. Delegations also noted the important role played by

[7] Elected to serve as a member of the Tribunal until 30 September 2017; passed away on 15 September 2016.

the Tribunal in maintaining and promoting peace, security, sustainable development and friendly relations among States.

23. Several delegations reaffirmed their support for the work of the Tribunal. Some delegations encouraged States parties to consider the important role of the Tribunal with regard to the protection of marine biological diversity in areas beyond national jurisdiction and the protection and preservation of the marine environment.

24. Several delegations commended the achievements of the Tribunal in the context of the twentieth anniversary of its establishment. Some delegations observed that the decisions of the Tribunal had contributed to the coherent jurisprudence in the law of the sea. Delegations also noted the efficiencies of the Tribunal in its proceedings. Attention was drawn to the scope of activities of the Tribunal, as well as its increasing and complex workload and the growing recognition and confidence of States parties in entrusting the Tribunal with the settlement of their maritime disputes.

25. A number of delegations expressed their views on the *M/V "Norstar" Case (Panama v. Italy)* and the *Dispute Concerning Delimitation of the Maritime Boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean (Ghana/Côte d'Ivoire)*.

26. Several delegations commended the Tribunal for its training and capacity-building activities and expressed gratitude to those who had made contributions to such activities, including financially. The Tribunal was encouraged to continue to raise public awareness of its work and assist States parties, in particular developing countries, in the training of professionals in the dispute settlement mechanisms of the Convention. The Tribunal was commended for its efforts in promoting research and teaching in the field of international maritime law and for fostering dialogue among relevant stakeholders.

27. Some delegations emphasized the obligation of States parties under the Convention relating to the peaceful settlement of disputes and encouraged States parties to resolve maritime disputes in accordance with the dispute settlement mechanisms contained in the Convention. A delegation pointed out that the dispute settlement mechanism under the Convention was holistic and balanced and that, under that mechanism, the modalities chosen by States parties to settle disputes took precedence, and the compulsory proceedings were qualified by conditions and exceptions. The importance of article 298 of the Convention was highlighted in that context.

28. Several delegations welcomed the work carried out by the President and the other five members of the Tribunal, whose terms of office were expiring on 30 September 2017. Delegations also expressed condolences for the passing of Judge Cachapuz de Medeiros.

29. The Meeting took note of the report of the Tribunal for 2016.

B. Financial and budgetary matters

1. Report of the external auditor for the financial period 2015-2016

30. The Registrar of the Tribunal introduced the report of the external auditor for the financial period 2015-2016, with financial statements of the International Tribunal for the Law of the Sea as at 31 December 2016 (SPLOS/305).

31. He informed the participants that the report had been examined by the Tribunal during its session in March 2017.

32. The Meeting took note, with satisfaction, of the report.

2. Report on budgetary matters for the financial period 2015-2016

33. The Registrar introduced the report on budgetary matters for the financial period 2015-2016 (SPLOS/306), covering the matters outlined below.

(a) Budget performance report for 2015-2016

34. The Registrar outlined the information contained in section I of the report, recalling in particular that the total expenditure for 2015-2016 was €18,662,719, representing 99.18 per cent of the total appropriations (€18,817,600) allocated for that period.

35. Several delegations noted with appreciation the Registrar's sound management of the budget, highlighting the savings made with respect to special allowances over the period, the reduction in the daily subsistence allowance and the improved scheduling of meetings. Those delegations encouraged the Registrar to consider similar cost-saving measures in future. They noted with satisfaction that the Tribunal had been able to make savings within its approved budget, despite the increase in workload, and commended the Registrar for his optimum use of resources. Several delegations called upon the States parties to honour their obligations and settle their contributions in full and in a timely manner.

(b) Report on action taken pursuant to the financial regulations and rules of the Tribunal

36. The Registrar referred to section II of the report and noted that a cash surplus in the amount of €1,837,669 from the financial period 2013-2014 had been surrendered to the States parties and deducted from their contributions for 2017 and for earlier financial periods, where applicable, in accordance with regulation 4 of the Financial Regulations and Rules of the Tribunal.

37. In that connection, delegations noted with appreciation the surrendering of the surplus amount for the financial period 2013-2014 to the States parties.

38. The Meeting took note, with appreciation, of the report on budgetary matters for the financial period 2015-2016 and approved the proposal to finance the overexpenditure of €2,617 under part A, section 4 (representation allowance), of the budget approved for the financial period 2015-2016 by the savings under part A, section 5 (official travel), which amounted to €12,318.[8]

V. Information on the activities of the International Seabed Authority

39. The Secretary-General of the Authority, Michael Lodge, provided information on the activities carried out by the Authority since the twenty-sixth meeting.[1]

40. He noted that the forthcoming twenty-third session of the Authority, to be held in Kingston from 31 July to 18 August 2017, would address important matters, such as the consideration of the final report of the Committee established under article 154 to undertake the first general and systematic review of the manner in which the international regime of the Area established in the Convention had operated in practice. He encouraged all States parties to attend the session.

41. The Secretary-General informed the participants that the priority for the Authority was the delivery of the regulations and standard contract terms on

[8] See SPLOS/306, para. 11.

exploitation for mineral resources in the Area, which would enable contractors to move from exploration to exploitation. It was expected that a revised draft of those regulations would be circulated for another round of consultations with stakeholders in August 2017. The Secretary-General reported that the number of approved plans of work for exploration had now reached 28.

42. With respect to the general and systematic review of the international regime of the Area, in accordance with article 154 of the Convention, the Secretary-General noted that the final report contained 19 recommendations, including for: a strategic plan to guide the work of the Authority; an enhanced role for the Assembly in setting policy; an increase in transparency across all the organs of the Authority; an enhanced internal functioning of the secretariat; and a revised pattern of meetings to promote broader participation and to reflect the fact that the work of the Authority had changed radically since 1994.

43. In the ensuing discussions, several delegations commended the work of the former Secretary-General, Nii Allotey Odunton, and congratulated the new Secretary-General on his appointment for a term of four years, beginning on 1 January 2017. A delegation stated that it was encouraged by the reforms that the new Secretary-General had undertaken to improve the efficiency of and communication by the secretariat of the Authority.

44. Some delegations applauded the participation of the Authority in the Ocean Conference and welcomed the voluntary commitments that it had made.

45. Several delegations welcomed the continued work of the Authority on the development of comprehensive regulations and procedures on the exploitation of deep-sea mineral resources in the Area. Actions to make further progress were nevertheless encouraged. It was stressed that those resources would need to be exploited in a way that was environmentally sustainable and that would protect the marine environment from harmful effects, as well as in the context of a reliable regulatory framework to assure investors that there was a path to commercial deep-sea mining. A delegation highlighted the need to ensure that both the content and the terminology used in the regulations were consistent with international law, including the Convention. It was deemed regrettable that only eight Governments had submitted comments to the stakeholder consultations in connection with the first working draft of the regulations and standard contract terms, and greater participation was encouraged.

46. A view was expressed that the regulations and procedures on the exploitation of deep-sea mineral resources in the Area directly reflected the principle of the common heritage of mankind. As it was not practical for all States parties to participate in the exploration for and exploitation of those resources, concern was expressed with regard to the slow pace in operationalizing the Enterprise. It was stressed that progress on the regulations framework and the strengthening of the institution needed to take place at the same time in order to ensure the realization of the benefits for all States parties. One delegation noted with deep concern that Africa was the only continent from which no State party was participating in the exploration for and exploitation of seabed resources, a fact that was attributed to the lack of marine technology, skills and competencies, despite article 144 of the Convention, which provided for the Authority to take measures to promote and encourage the transfer of such technologies and knowledge to developing States.

47. States parties welcomed the final report of the Review Committee established pursuant to article 154 of the Convention and suggested that the secretariat could determine whether input from other bodies was required and highlight the recommendations that could be implemented in the short term.

48. Concern was expressed by several delegations about the arrears in payments, and delegations joined the Secretary-General in appealing for that situation to be rectified. Concern about low attendance at sessions of the Assembly was also expressed by several delegations.

49. The Meeting took note of the information reported by the Secretary-General of the Authority.

VI. Matters relating to the Commission on the Limits of the Continental Shelf

A. Information reported by the Chair of the Commission

50. The Chair of the Commission, Lawrence Folajimi Awosika, provided information on the activities carried out by the Commission since the twenty-sixth meeting (see SPLOS/310),[9] including on the consideration of submissions and approval of recommendations by the Commission, the workload of the Commission and the conditions of service of its members.

51. In the ensuing discussion, many delegations expressed their appreciation and support for the work of the Commission, especially in the light of the challenges faced by it with respect to its high workload and working conditions. Those delegations highlighted the vital role of the Commission in the implementation of the Convention and in maintaining the balance achieved therein. They noted with appreciation the high quality of services rendered by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, as the secretariat of the Commission. Several delegations welcomed the fact that summaries of the recommendations on the submissions of coastal States were being made available to the public, in accordance with the rules of procedure of the Commission.

52. Many delegations congratulated the Commission on the commemoration of the twentieth anniversary of its establishment, which had been held earlier in 2017, and expressed appreciation to the Chair and the members of the Commission, in particular the outgoing members, for their commitment and hard work. The fact that, for the first time, the list of nominations for members of the Commission included female candidates was highlighted.

53. Concern was expressed with regard to one position in the Commission that had remained vacant for most of the past term of office, and, in that regard, a suggestion was made to explore alternative means to fill vacancies when a regional group was unable to do so. Several delegations underscored that it was essential to the work of the Commission that members attend all its meetings for their entire duration.

54. Several delegations highlighted the increase in workload and the considerable number of submissions yet to be considered by the Commission, which put great demands on its members and the secretariat. It was noted with appreciation that the Commission had implemented the measures proposed at the twenty-sixth meeting with regard to the workload of the Commission (see SPLOS/303, para. 84). The Commission was encouraged to consider further adjustments to its working methods to proceed more quickly through the backlog of submissions in a timely manner.

55. Several delegations expressed concern over the number and complexity of the submissions still to be reviewed and the delays in the issuance of recommendations, while acknowledging that the pace of consideration of submissions by the

[9] Detailed information on the work of the Commission during its forty-first, forty-second and forty-third sessions is contained in documents CLCS/95, CLCS/96 and CLCS/98, respectively.

Commission had been hampered by factors beyond its control. A view was expressed that States parties should consider mechanisms to reduce the circumstances that slowed down the work of the Commission and that could be addressed by the States themselves. It was also suggested that that the Commission should work full-time throughout the entire year or, at least, for six months each year. Other delegations cautioned that speedy consideration should be balanced by the need to provide adequate time to examine and consider carefully the data and information submitted. A delegation stressed the need for members of the Commission to conduct their duties on the basis of objective scientific and technical considerations.

56. A number of delegations drew attention to the considerable resources that submitting States had invested in the preparation of their submissions to the Commission and stressed the need for the timely consideration of submissions, in view of the challenges, especially for developing States, with respect to the retention of technical teams, expertise and current software up to and during the consideration of their submissions by the Commission. In view of new developments in the acquisition of scientific and technical data, one delegation encouraged collaboration among States. Another delegation emphasized the need for consistency and predictability in terms of data and the technical requirements of submissions. A view was expressed that the Commission should work with States in a collaborative manner to ensure that States, especially those with limited capacity, receive the support necessary to establish the limits of their continental shelves.

57. Some delegations raised concerns about the seemingly indefinite deferment of certain submissions as a result of objections made by third States. It was suggested that the rules of procedure of the Commission should be amended to enable it to consider all submissions. Another delegation noted, however, that the decision by the Commission to defer consideration of a submission owing to the existence of disputes was consistent with its rules of procedure.

58. With respect to the consideration of the submissions made by their respective Governments or the recommendations issued by the Commission, some delegations commented on situations where the Commission had departed in a substantive way from the draft recommendations prepared by the respective subcommissions, and pointed out that amended recommendations had been approved by the Commission without transparency or explanations as to the scientific rationale behind such amendments, thus undermining the legitimacy of the Commission. Concern was expressed over the lack of opportunities for exchanges with the Commission as a whole when recommendations were being considered in plenary and, in that regard, the need for the Commission to consider submissions in a transparent, inclusive and consistent manner was highlighted. A view was expressed by some delegations that approval of recommendations without a vote was contrary to the rules of procedure of the Commission. It was suggested that the Commission should consider ways to address those concerns. Some delegations highlighted, with concern, the high costs associated with preparing new or revised submissions.

59. During the discussion of matters relating to the Commission, some delegations highlighted the need to enhance the technology and hardware available to the Commission, including secure data storage and geographic information system software (see also paras. 116 and 117 below). Some delegations expressed concern over reports of potential breaches of confidentiality rules, including the risk of cyberattacks, and emphasized the need to secure data and information relating to submissions and for any such breaches to be fully disclosed to the Meeting.

60. The secretariat provided information on the status of the two trust funds that it administered in relation to the Commission.[10] With regard to the voluntary trust fund for the purpose of defraying the cost of participation of the members of the Commission on the Limits of the Continental Shelf from developing States in meetings of the Commission, the secretariat explained that, owing to insufficient funds, reimbursement for travel medical insurance could not be provided for the forty-second and forty-third sessions of the Commission. It was expected that the fund balance would be sufficient to cover the costs of participation of members from developing States in the two remaining sessions in 2017. Without additional contributions, however, it would not be possible to provide financial assistance to members from developing States for participation in sessions of the Commission in 2018 and beyond, including reimbursement of travel medical insurance, pursuant to paragraph 96 of resolution 71/257, in which case the Commission might not be able to reach the quorum required for its sessions.

61. Delegations expressed concern over the lack of funds for facilitating the participation of Commission members from developing countries. States that were in a position to make voluntary contributions to enable the Commission to fulfil its mandate were urged to do so during the new term of office. Some delegations pledged contributions to the trust funds in 2017. Delegations expressed appreciation for the contributions made or pledged by States parties to the trust funds. Several delegations recalled the obligation under the Convention of States whose experts served on the Commission to defray the expenses of those experts in carrying out their duties for the Commission, including through the provision of medical coverage.

62. In response to the statements by delegations, and on behalf of the Commission, the Chair expressed appreciation for the cooperation and support from the States parties to the Commission. He explained that, at the plenary level, the Commission, in accordance with its rules of procedure, had made its best endeavours to ensure that its work was accomplished by general agreement. He stressed that the amendments to and revisions of draft recommendations prepared by the subcommissions had not been made lightly and were the result of extensive review and deliberations over the relevant data and information with a view to achieving consensus at the level of the Commission and, consequently, to enabling the Commission to approve the recommendations without a vote. The Chair emphasized that each submission was examined on its own merits and that each recommendation was based on specific data and information supplied by the respective coastal State. Significant efforts were made in all cases to achieve balanced and impartial decisions. The Chair noted that, while the rules of procedure did not allow for the participation of representatives of coastal States in the final considerations of recommendations at the level of the Commission, he would bring the concerns of submitting States to the attention of the Commission in order to initiate a review of its working methods. The Chair also noted that, in cases of disagreement with the recommendations approved by the Commission, the coastal State was entitled to make a revised or new submission in accordance with article 8 of annex II to the Convention. With regard to submissions that had been deferred owing to existing disputes, the Chair encouraged coastal States to contact the relevant States parties in order to obtain the consent necessary under annex I to the rules of procedure of the Commission. With respect to access to confidential data and information, the Chair assured the States parties that any potential breach of confidentiality would be investigated by the relevant Committee of the Commission and that the outcome of the assessment would be brought to the attention of the Meeting. Concerning the issue of attendance of members of the Commission at the

[10] For financial details, see annex I to the present report.

meetings of the Commission and its subcommissions, the Chair appealed to nominating States parties to ensure the full participation of their respective members. While thanking States for their contributions to the trust fund, the Chair appealed to the States parties to consider more permanent and reliable solutions for the funding of the Commission. The Chair concluded by assuring the States parties that the Commission would continue to uphold the integrity of the Commission and be guided by the Convention, as well as the scientific and technical guidelines and the rules of procedure of the Commission.

63. The secretariat addressed several issues raised by delegations in their statements. In relation to the challenges for some States to maintain adequate expertise while awaiting the consideration of their submissions, it was recalled that the Division had prepared a training manual and had conducted a series of training activities to assist States in the preparation of their submissions. Such capacity-building would continue, upon request, subject to the availability of funding. With respect to access to confidential data, the secretariat noted the mandate under annex II to the rules of procedure of the Commission and its practice of bringing any activity that appeared to be inconsistent with those rules to the attention of the Commission. The secretariat highlighted the need to further strengthen the security of data to ensure confidentiality and business continuity (see also paras. 116 and 117 below).

64. The Meeting took note of the information reported by the Chair of the Commission and of the information provided by the secretariat.

B. Conditions of service of the members of the Commission

1. Appointment of a co-coordinator

65. The Meeting appointed Anastasia Strati (Greece) as Co-Coordinator of the Open-ended Working Group on the Conditions of Service of the Members of the Commission to replace Alex Lennox-Marwick (New Zealand) who, at the resumed twenty-fifth meeting, had indicated that she would not be in a position to continue serving in that capacity (see SPLOS/293, paras. 17 and 18, and SPLOS/303, para. 77).

2. Report of the Open-ended Working Group

66. Following a meeting of the Open-ended Working Group, the Co-Coordinators informed the Meeting that, on the basis of the information received from the secretariat and a representative of the Health and Life Insurance Section of the Department of Management, the Working Group would continue to consider issues relating to the conditions of service of the members of the Commission, in particular medical insurance coverage, with the intention of assessing progress on the matter during the seventy-second session of the General Assembly.

67. In the ensuing discussions, many delegations expressed support for continuing to improve the working conditions of the Commission. Several delegations noted with appreciation that, as requested in paragraph 93 of General Assembly resolution 70/235, the Secretary-General had provided cost-effective, transportable, non-structural improvements to address some of the immediate working space needs of the Commission, and they noted the contribution of the Open-ended Working Group in that regard. It was recognized by many delegations that other issues relating to the exceptional character of the Commission, as well as its specific requirements, including medical insurance, would require further consideration and more permanent solutions.

68. The Open-ended Working Group was encouraged to hold as many meetings as necessary during the intersessional period to ensure that its momentum would be maintained.

69. The Meeting took note of the report of the Co-Coordinators and decided that the Open-ended Working Group would continue to work intersessionally on the conditions of service of members of the Commission, as set forth in paragraph 77 of the report on the twenty-third meeting of the Meeting of States Parties (SPLOS/263). Further to a proposal by the Working Group, the Meeting decided to request the secretariat to conduct a new survey in order to assess the needs and views of the newly elected members of the Commission after the forty-fifth session, which would end on 1 December 2017. The results of the survey would then be made available to the Working Group, which would decide on the timing of any additional meetings in early 2018, prior to the twenty-eighth meeting of the Meeting of States Parties, to be held in 2018. The Meeting also decided to take up and review matters relating to the conditions of service of the members of the Commission at its twenty-eighth meeting under the agenda item "Commission on the Limits of the Continental Shelf".

70. In response to the statements by delegations, and on behalf of the Commission, the Chair expressed his gratitude to the States parties and the Open-ended Working Group for their continued support and emphasized the need to further improve the working conditions of all members of the Commission.

VII. Elections

A. Election of seven members of the International Tribunal for the Law of the Sea

71. On 14 June 2017, the Meeting proceeded with the election of seven members of the Tribunal to fill the seats of those members whose terms of office would expire on 30 September 2017. The election was held in accordance with article 4, paragraph 4, of the Statute of the Tribunal (annex VI to the Convention). Members of the delegations of Canada, Cyprus Ghana, Guatemala and Ukraine acted as tellers.

72. The President referred to the note by the Registrar of the Tribunal on election procedures (SPLOS/307), the list of candidates nominated by States parties for election to the Tribunal (SPLOS/308), the note by the Registrar submitting the curricula vitae of the candidates (SPLOS/309) and the complete curricula vitae of the candidates.[1] The President informed the participants that a communication had subsequently been received from Brazil concerning the withdrawal of its candidate, Rodrigo Fernandes More.

73. The President informed the participants of the election procedures. Concerning the composition and membership of the Tribunal, the President recalled articles 2 and 3 of the Statute of the Tribunal, noting in particular that, in accordance with article 3, paragraph 2, there should be no fewer than three members from each geographical region, as established by the General Assembly. The President also noted that, for the purpose of conducting the election of the seven members of the Tribunal at the present meeting, the arrangement for the allocation of seats on the Tribunal and the Commission (see SPLOS/201) would apply, unless the Meeting decided otherwise.

74. The President stated that, consequently, the regional allocation of the seven seats for the election would be as follows: two seats for members from the group of

African States; two seats for members from the group of Asia-Pacific States; one seat for a member from the group of Eastern European States; one seat for a member from the group of Latin American and Caribbean States; and one seat for a member from the group of Western European and other States.

75. The Meeting agreed that the election would be based on the confirmed regional allocation of seats and conducted in one step. The Meeting also agreed that five separate ballot papers would be distributed, each containing the list of candidates from one of the five regions, and that balloting would continue until the requisite number of candidates for each region obtained the highest number of votes and the required majority. In that regard, the Meeting agreed that, in the event of more than one round of balloting, restricted balloting would apply, as set out in rules 65 and 66 of the rules of procedure.

76. After the completion of the voting process, the President announced the election of the following seven members of the Tribunal for a nine-year term of office, from 1 October 2017 to 30 September 2026: Boualem Bouguetaia (Algeria), Óscar Cabello Sarubbi (Paraguay), Neeru Chadha (India), José Luis Jesus (Cabo Verde), Kriangsak Kittichaisaree (Thailand), Roman A. Kolodkin (Russian Federation) and Liesbeth Lijnzaad (Netherlands).[11] On behalf of the Meeting, the President congratulated the members on their election.

B. Election of the twenty-one members of the Commission on the Limits of the Continental Shelf

77 On 14 June 2017, the Meeting proceeded with the election of 21 members of the Commission for a term of five years. The election was held in accordance with article 2, paragraph 3, of annex II to the Convention. Members of the delegations of Cyprus, Germany, Ghana, Guatemala and Ukraine acted as tellers.

78. The President referred to the note by the Secretary General on the election procedures (SPLOS/311), the list of candidates nominated by States parties for election to the Commission (SPLOS/312), the note by the Secretary-General on the withdrawal of a candidate (SPLOS/312/Add.1) and the note by the Secretary-General on the curricula vitae of the candidates (SPLOS/313), noting that there were a total of 20 nominations for the 21 seats.

79. The President explained the election procedures, noting that, in accordance with article 2, paragraph 3, of annex II to the Convention, no fewer than three members of the Commission should be elected from each geographical region. The President also noted that, for the purpose of conducting the election, the arrangement for the allocation of seats on the Tribunal and the Commission would apply, unless the Meeting decided otherwise (see SPLOS/201).

80. The President stated that, consequently, the regional allocation of the 21 seats for the election would be as follows: five seats for members from the group of African States; five seats for members from the group of Asia-Pacific States; three seats for members from the group of Eastern European States; four seats for members from the group of Latin American and Caribbean States; three seats for members from the group of Western European and other States; and the remaining seat for one member from among the African States, the Asia-Pacific States and the Western European and other States. In view of the fact that the group of African States had one more candidate than the number of seats established by the regional allocation described above and that it was the only one from among the three latter

[11] For a summary of the balloting for the election of seven members of the Tribunal, see annex II to the present report.

regions with nominations exceeding, by one, the number of seats allocated regionally, the Meeting decided that the remaining seat would be allocated to a member from the group of African States.

81. The Meeting agreed that the election would be based on the aforementioned regional allocation of seats, for the purpose of this election only and without prejudice to future elections, and that it would be conducted in one step. The Meeting also agreed that five separate ballot papers would be distributed, each containing the list of candidates from one of the five regions, and that balloting would continue until the requisite number of candidates for each region obtained the highest number of votes and the required majority. In that regard, the Meeting agreed that, in the event of more than one round of balloting, restricted balloting would apply, as set out in rules 65 and 66 of the rules of procedure.

82. After the completion of the voting process, the President announced the election of the following 20 candidates as members of the Commission for a five-year term of office, from 16 June 2017 to 15 June 2022: Adnan Rashid Nasser al-Azri (Oman), Lawrence Folajimi Awosika (Nigeria), Aldino Campos (Portugal), Wanda-Lee De Landro-Clarke (Trinidad and Tobago), Ivan F. Glumov (Russian Federation), Martin Vang Heinesen (Denmark), Emmanuel Kalngui (Cameroon), Wenzheng Lyu (China), Mazlan bin Madon (Malaysia), Estevão Stefane Mahanjane (Mozambique), Jair Alberto Ribas Marques (Brazil), Marcin Mazurowski (Poland), Domingos de Carvalho Viana Moreira (Angola), David Cole Mosher (Canada), Simon Njuguna (Kenya), Yong Ahn Park (Republic of Korea), Carlos Marcelo Paterlini (Argentina), Clodette Raharimananirina (Madagascar), Toshitsugu Yamazaki (Japan) and Gonzalo Alejandro Yáñez Carrizo (Chile).[12] On behalf of the Meeting, the President congratulated the members on their election.

83. The President noted the lack of one nomination to fill the third seat allocated to members from the group of Eastern European States. The representative of Romania, as the representative of the State chairing that group for June 2017, indicated that consultations within the group were continuing with a view to presenting a candidate for election at a possible resumed twenty-seventh meeting of the Meeting of States Parties.

84. Recalling the impact of the persistent vacancy of one member on the work of the Commission as a whole, the President underscored that it was the responsibility of the States parties to ensure that the Commission could operate with full membership.

85. The Meeting subsequently decided that, if the group of Eastern European States informed the President of the Meeting by 25 September 2017 that candidates had been identified, a new call for nominations would be circulated by the Secretary-General. A resumed meeting would then be convened in order to conduct the by-election before the forty-sixth session of the Commission, subject to the approval of the General Assembly. This would allow the new member to assume his or her functions early during the 2017-2022 term of office of the Commission. If no candidates were identified by the group of Eastern European States by 25 September 2017, the Secretary-General would circulate a call for nominations with a view to conducting elections at the twenty-eighth meeting of the Meeting of States Parties, to be held in 2018, only if the President of the Meeting received from the group information about potential candidates no less than 14 weeks prior to the commencement of the twenty-eighth meeting. In the absence of such information,

[12] For a summary of the balloting for the election of the twenty-one members of the Commission on the Limits of the Continental Shelf, see annex III to the present report.

the Meeting would revert to the consideration of that matter under the agenda item "Commission on the Limits of the Continental Shelf".

86. The Meeting invited the Commission, notwithstanding the vacant seat, to discharge its functions effectively and efficiently, including the adoption of recommendations, in accordance with article 76 of and annex II to the Convention and its Rules of Procedure.

VIII. Report of the Secretary-General under article 319 of the United Nations Convention on the Law of the Sea

87. The Meeting considered the annual reports of the Secretary-General on oceans and the law of the sea (A/71/74/Add.1 and A/72/70), which had been submitted to the States parties pursuant to article 319 of the Convention. Delegations expressed their appreciation to the Secretary-General and the Division for Ocean Affairs and the Law of the Sea for the useful and comprehensive reports.

88. Delegations reaffirmed that the Convention set out the legal framework within which all activities in the oceans and seas must be carried out. A number of delegations highlighted its role in maintaining international peace and security, reinforcing friendly relations among States, protecting and preserving the marine environment and ensuring the sustainable use of the oceans and marine resources. Some delegations underscored the need to raise awareness of the provisions of the Convention and to ensure their effective implementation. A delegation stressed the importance of maintaining the delicate balance achieved in the Convention between the rights and obligations of the States parties.

89. Delegations expressed appreciation for the important work of the three bodies established under the Convention. A number of delegations recalled the significant role played by the International Tribunal for the Law of the Sea in the interpretation of the Convention and international law and in the progressive development of the law of the sea, as well as in the peaceful settlement of disputes. The need for States to make declarations pursuant to articles 287 and 298 of the Convention was underscored.

90. A number of delegations welcomed the progress made in the work of the Preparatory Committee established by the General Assembly in its resolution 69/292 entitled "Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction" at its first three sessions. They expressed support for the mandate of the Preparatory Committee to make, at its fourth session, substantive recommendations to the General Assembly on the elements of a draft text of an international legally binding instrument under the Convention. The critical governance gap in the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction was highlighted. A view was expressed that the principle of common but differentiated responsibilities and the principle of the common heritage of mankind, as well as the need for capacity-building, should be included in the negotiation process. A delegation questioned whether a new international instrument should take into account the distinction between fish used because of their genetic properties and fish used as a commodity and offered the view that all fish in the high seas should be governed by the principle of the common heritage of mankind. The importance of universal participation in any new international instrument was recalled.

91. Delegations expressed their commitment to achieving a sustainable use of the oceans and seas and reference was made in that context to the 2030 Agenda for Sustainable Development, the Paris Agreement and the United Nations Framework Convention on Climate Change. The important role of the Convention in achieving sustainable development, including in meeting Sustainable Development Goal 14 of the 2030 Agenda, was highlighted by a number of delegations.

92. Delegations commended the successful holding of the Ocean Conference and welcomed the call for action and the voluntary commitments made at the Conference. Delegations also expressed their determination to meet Goal 14, among other goals, through further collaboration and implementation of the Convention. Some delegations also stressed the importance of supporting developing States in achieving Goal 14.

93. The crucial role of fisheries in ensuring food security was stressed by several delegations, including through sustainable fishing practices and aquaculture. One delegation referred to the existing international legal framework provided by the Convention and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (United Nations Fish Stocks Agreement), as well as the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations (FAO), and called upon States to implement those instruments. Several delegations underlined the need to increase and reinforce global and regional cooperation for the management of fisheries. Some delegations provided information on their progress in becoming parties to the United Nations Fish Stocks Agreement and the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, as well as regional fisheries management organizations.

94 Reference was also made to the report of FAO on the state of world fisheries and aquaculture, published in 2016,[13] which highlighted the importance of sustainable fisheries within the context of sustainable development. Several delegations stressed, in that context, the importance of well-established maritime boundaries and of tackling illegal, unreported and unregulated fishing. A view was expressed that such fishing undermined the efforts of developing coastal States to manage fisheries sustainably within their exclusive economic zones. Reference was made to the request for an advisory opinion submitted by the Sub-Regional Fisheries Commission, which had been rendered by the International Tribunal for the Law of the Sea on 2 April 2015 and was regarded as an important contribution towards addressing illegal, unreported and unregulated fishing.

95. The recent entry into force of the Port State Measures Agreement was highlighted as an important development in that regard, and its implementation was encouraged. The need to strengthen regional fisheries management organizations and agreements and improve collaboration among existing organizations and arrangements was also underscored. Concerns over fisheries subsidies that contributed to overfishing and illegal, unreported and unregulated fishing were raised by some delegations, which stressed the need to limit existing subsidies and refrain from introducing new ones.

96. Several delegations drew attention to the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea and

[13] Food and Agriculture Organization of the United Nations, *The State of World Fisheries and Aquaculture 2016: Contributing to Food Security and Nutrition for All* (Rome, 2016). Available from http://www.fao.org/3/a-i5555e.pdf.

welcomed the topic of focus of its eighteenth meeting, "The effects of climate change on oceans". Many delegations expressed concern over the devastating impact of climate change on the marine environment. Some delegations highlighted, in that context, the important role of the oceans as a climate regulator and carbon sink. Several delegations noted their particular vulnerability to climate change, and a number of delegations recalled the need for national, regional and global, cross-sectoral and integrated initiatives to address that challenge, including in the implementation of the Paris Agreement and the Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change. Links between climate change, ocean warming and ocean acidification were underscored, and delegations noted the importance of addressing those issues together. Some delegations called for increased research into the impact and effects of climate change on the oceans. A view was expressed that the Convention was silent on the issue of changing maritime baselines due to sea-level rise and that the international community should consider how to address that matter under the Convention.

97. The need to enhance scientific knowledge of the marine environment was highlighted by some delegations, including the need for research towards better scientific understanding of the deep sea. Some delegations drew attention to the efforts being made to advance marine scientific research. Attention was drawn, in that context, to the need for science-based decision-making, and reference was made to the importance for policymakers of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects. A number of delegations noted the significant role of the First Global Integrated Marine Assessment and its technical abstracts in supporting the science-policy interface.

98. Several delegations provided information on specific challenges that they faced in their maritime zones, such as the impact of marine pollution, including microplastics, and illegal, unreported and unregulated fishing, and stressed the need to address those challenges. Information on national and regional initiatives aimed at addressing some of those challenges and at promoting cooperation was also provided by delegations, including strategies relating to: the protection, preservation and sustainable use of marine ecosystems; the designation of new marine protected areas; the conduct of marine biological studies; funding commitments for capacity-building; sanctions for vessels found to be engaged in illegal, unreported and unregulated fishing; efforts to become parties to relevant global and regional instruments; and the revision or adoption of new policies and legislation consistent with the Convention.

99. Some delegations noted a need for increased commitment to marine environmental protection, drawing attention to the steps being taken to protect and preserve the marine environment, and to reducing plastic pollution in the ocean.

100. Several delegations expressed concern about the increase in human suffering due to unsafe, mixed migration by sea and highlighted the need for urgent action to prevent loss of life at sea. It was further noted, in that context, that the individuals involved in such migration were vulnerable to transnational organized crime networks, in particular human trafficking and smuggling.

101. Several delegations emphasized the need to ensure safety and security at sea, including by addressing piracy. While one delegation noted with satisfaction the dramatic decrease in piracy off the coast of Somalia, another delegation expressed concern over the resurgence of piracy and armed robbery in the Gulf of Guinea and noted that the Security Council had urged regional organizations to cooperate on maritime safety and security. Several delegations drew attention, in that context, to the adoption of the Charter on Maritime Security and Safety and Development in

Africa at the African Union Extraordinary Summit of Heads of State and Government on Maritime Security and Safety and Development in Africa, held in Lomé in October 2016, which could serve as a road map for maritime safety in Africa. Illegal, unreported and unregulated fishing was identified as an important root cause of piracy in certain parts of Africa. The role of coastal States in ensuring maritime safety and security of navigation, as well as environmental protection in straits, was emphasized.

102. A number of delegations highlighted national efforts, including funding commitments, to improve and promote cooperation in maritime safety and security, including by combating crimes at sea. The critical role of capacity-building in combating maritime security threats, including piracy, armed robbery and trafficking, was underscored.

103. Several delegations highlighted the importance of strengthening the capacity of States to implement the provisions of the Convention and related instruments and to benefit from the oceans and marine resources. In particular, several delegations noted that capacity-building was an essential component of the global response to climate change. Several delegations expressed the view that the need to support capacity-building in developing countries must be implemented in accordance with the principle of common but differentiated responsibilities. A delegation highlighted the specific capacity-building needs of small island developing States. The need for environmentally friendly transfer of marine technology and knowledge was also highlighted by some delegations. Reference was made, in that context, to the Technology Bank for the Least Developed Countries, which would start to operate later in 2017.

104. Some delegations expressed their views with regard to specific regions. With regard to the South China Sea region, one delegation called upon all relevant parties to refrain from actions that might further complicate the geopolitical situation and escalate tension, to implement the Declaration on the Conduct of Parties in the South China Sea and to conclude a legally binding code of conduct. That delegation recalled, in that context, the importance of the principles of international law, such as freedom of navigation and overflight, as well as the obligation to settle disputes peacefully. Another delegation stressed the importance of the principles contained in the Convention in facilitating the establishment of a reasonable and fair maritime order and the need to respect the spirit and intent of those provisions, as well as the responsibilities and roles of the three institutions created by the Convention in maintaining order and promoting and protecting resources.

105. One delegation noted the importance of the Convention for States under occupation that were striving for self-determination and the right to permanent sovereignty over their resources, and it observed that its people, including fishermen, continued to face grave and continuous violations of the rights enshrined in the Convention. That delegation emphasized that its Government intended to take steps, in accordance with the Convention, to establish access to and control over its maritime zones, and it appealed to all States, entities and individuals to respect its maritime boundaries. An observer delegation stressed that the State of Palestine did not have legal standing to claim maritime boundaries under the Convention and indicated that negotiation of those borders was being conducted bilaterally. Some delegations, including observer delegations, were of the view that the State of Palestine did not meet the requirements of statehood and, therefore, could not accede to the Convention or become a member of the Credentials Committee.

106. Some observer delegations expressed the view that the Meeting should not be regarded as a forum for discussion of the application and interpretation of the Convention and for resolution of particular disputes.

107. Speaking as an observer, the representative of the International Maritime Organization (IMO) drew attention to the value of shipping in facilitating global trade and commerce. She noted that international shipping rules and standards adopted by IMO in respect to maritime safety, efficiency of navigation and the prevention and control of marine pollution had led to a significant reduction in maritime accidents and pollution incidents. She highlighted the most important areas of development of concern in relation to the areas of competence of IMO and, in particular, encouraged States to ratify a number of IMO Conventions not yet in force, and thus expedite their entry into force.

108. The Meeting took note of the reports of the Secretary-General under article 319 and of the views expressed by delegations under that agenda item, and decided that the same agenda item would be included in the provisional agenda of its twenty-eighth meeting.

IX. Other matters

1. Invitations to meetings of the Meeting of States Parties

109. Following a communication from the Permanent Court of Arbitration, the Meeting of States Parties extended a standing invitation to it.

110. In addition, the President recalled that rule 18.3 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4) provided that other intergovernmental organizations that were invited to the meeting might also participate as observers and that, at the twenty-sixth meeting, States parties had decided to align the practice of the Meeting concerning invitations to intergovernmental organizations with that of the subsidiary bodies of the General Assembly (see SPLOS/303, paras. 113 and 114). In that regard, the secretariat informed the participants that the preparation of the list of intergovernmental organizations with competence in ocean affairs was ongoing. The Meeting decided that, once the list had been finalized, it would be made available to delegations during the intersessional period and considered at the following meeting.

2. United Nations policy concerning official documents

111. The secretariat informed the participants that the Department for General Assembly and Conference Management had indicated that it could no longer accommodate waivers concerning the limits on the length of official documents, as mandated in General Assembly resolution 52/214. Consequently, for the purposes of future elections of members of the Commission or the Tribunal, States parties would be called upon to submit only short summaries (no more than 400 words) of the curricula vitae of persons nominated for elections, with the option of having longer versions published on the website of the Division. The Meeting took note of that information.

3. Trust funds

112. The secretariat provided information on the current status and projected funding requirements of the trust funds administered by the Division,[14] other than those trust funds relating to the participation of the members of the Commission in its meetings (see para. 60 above).

113. The secretariat expressed its gratitude to all States that had made contributions to the trust funds and reiterated that the chronic underfunding of many of them was

[14] For the financial details concerning those trust funds, see annex I to the present report.

a serious problem. In that connection, the secretariat drew attention to General Assembly resolution 71/257, in which Member States were encouraged to contribute to the various trust funds.

114. The secretariat also provided information on the contributions procedure, noting that clear instructions from donor States as to the trust fund to which a contribution was being made would allow for a more timely availability of funds.

115. The President appealed to Governments that were in a position to do so to contribute to the trust funds and fellowships administered by the Division. The Meeting took note of the information on trust funds and fellowships provided by the secretariat.

4. Update concerning data and information storage for the purposes of the Commission on the Limits of the Continental Shelf, monitoring of access and secure means of intersessional communications

116. The secretariat elaborated on the needs concerning the secure storage of data, the monitoring of access to data and the provision of secure means of intersessional communications for members of the Commission. It was emphasized that such needs resulted from the obligations of the Secretary-General under the rules of procedure of the Commission. The secretariat also conveyed to the participants preliminary information received from the Office of Information and Communications Technology as to the requirements to meet such needs.

117. The Meeting took note of the information and recommended to the General Assembly that it review the cost requirements in relation to those needs and request the Secretary-General to take appropriate steps to provide for adequate storage and backup of information and data relating to the work of the Commission, to establish an adequate monitoring system for access to such data and to identify and implement suitable means of secure communication for the intersessional work of the members of the Commission.

5. Acknowledgments

118. The President of the twenty-seventh meeting of the Meeting of States Parties expressed her appreciation to the staff of the secretariat, including the Division, for the services and support provided during the meeting.

Annex I

Details concerning the trust funds administered by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs

1. With regard to the voluntary trust fund for the purpose of defraying the cost of participation of the members of the Commission on the Limits of the Continental Shelf from developing States in the meetings of the Commission, the participants were informed that, since the twenty-sixth meeting, contributions had been received from Canada, China, Iceland, India, Japan, Mexico, Norway, the Republic of Korea and the Russian Federation, and that the balance at the end of May 2017 was approximately $513,000.

2. With regard to the voluntary trust fund for the purpose of facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, in compliance with article 76 of the United Nations Convention on the Law of the Sea, the participants were informed that, since the twenty-sixth meeting, a contribution had been received from Costa Rica, and that the balance at the end of May 2017 was approximately $1,044,000.

3. With regard to the voluntary trust fund to assist States in the settlement of disputes through the International Tribunal for the Law of the Sea, the participants were informed that no contribution or disbursement had been made since the twenty-sixth meeting. As of the end of April 2017, the trust fund balance available for disbursement was estimated to be approximately $126,000.

4. With respect to the Hamilton Shirley Amerasinghe memorial fellowship on the law of the sea trust fund, participants were informed that a contribution had been received from Monaco. They were also informed that Maria Emilynda Jeddahlyn Pia Benosa of the Philippines had been awarded the 2017 fellowship. Currently, the trust fund balance available for disbursement was estimated to be approximately $38,000. The secretariat observed that the cost for one standard award was estimated to be between $40,000 and $60,000. It was noted that, without sufficient contributions by September 2017, it would not be possible to make a standard award for a fellowship in 2018.

5. Regarding the voluntary trust fund for the regular process for global reporting and assessment of the state of the marine environment, including socioeconomic aspects, participants were informed that, since the twenty-sixth meeting, contributions had been received from Ireland, the Netherlands, New Zealand and the Republic of Korea. The cost of supporting experts from developing countries for the meeting of the Group of Experts, which was held during the seventh meeting of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, held in August 2016, was approximately $27,000. As of the end of April 2017, the trust fund balance available for disbursement was estimated to be approximately $90,000.

6. Regarding the voluntary trust fund for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, in attending the meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, participants were informed that contributions had been received from New Zealand. The cost of funding representatives from developing countries to attend the eighteenth meeting of the United Nations Open-ended Informal Consultative

Process on Oceans and the Law of the Sea was approximately $7,000. As of the end of April 2017, the trust fund balance available for disbursement was estimated to be approximately $20,000.

7. With regard to newly established trust funds, including the voluntary trust fund for the purpose of assisting developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, in attending the meetings of the preparatory committee and an intergovernmental conference on the development of an international legally-binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, the participants were informed that contributions had been received from Finland, Ireland, the Netherlands and New Zealand. As of the end of April 2017, the trust fund balance available for disbursement was estimated to be approximately $148,000.

8. With regard to the UN-Oceans database trust fund, participants were informed that the trust fund had received no contributions and that no funds were available for disbursement.

Annex II

Summary of the balloting for the election of seven members of the International Tribunal for the Law of the Sea

1. The election required four rounds of balloting. In the first round, for the African States, of 166 ballots cast, with three invalid ballots and no abstentions, a majority of 109 votes was required for election. Boualem Bouguetaia (Algeria) (144 votes) and José Luis Jesus (Cabo Verde) (128 votes) were elected. For the Asia-Pacific States, of 166 ballots cast, with one invalid ballot and no abstentions, a majority of 110 votes was required for election. Neeru Chadha (India) (120 votes) was elected. For the Eastern European States, of 165 ballots cast, with no invalid ballots and nine abstentions, a majority of 104 votes was required for election. Roman A. Kolodkin (Russian Federation) (156 votes) was elected. For the Latin American and Caribbean States, of 165 ballots cast, with four invalid ballots and one abstention, a majority of 107 votes was required for election. Neither of the two candidates obtained the required majority. For the Western European and other States, of 166 ballots cast, with two invalid ballots and no abstentions, a majority of 110 votes was required for election. Neither of the two candidates obtained the required majority. Thus, four candidates were elected in the first round.

2. A second round of balloting was held for the Asia-Pacific States, the Latin American and Caribbean States and the Western European and other States. Pursuant to rule 65 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4), restricted balloting applied to the Asia-Pacific States, being limited to the two candidates that had obtained the highest number of votes in the previous round of balloting. For that group, of 167 ballots cast, with no invalid ballots and two abstentions, a majority of 110 votes was required for election. Kriangsak Kittichaisaree (Thailand) (110 votes) was elected. For the Latin American and Caribbean States, of 167 ballots cast, with no invalid ballots and one abstention, a majority of 111 votes was required for election. Neither of the two candidates obtained the required majority. For the Western European and other States, of 167 ballots cast, with no invalid ballots and no abstentions, a majority of 112 votes was required for election. Neither of the two candidates obtained the required majority. Thus, one candidate was elected in the second round.

3. A third round of balloting was held for the Latin American and Caribbean States and for the Western European and other States. For the Latin American and Caribbean States, of 167 ballots cast, with no invalid ballots and one abstention, a majority of 111 votes was required for election. Neither of the two candidates obtained the required majority. For the Western European and other States, Germany withdrew the candidate it had nominated. Of 167 ballots cast, with no invalid ballots and five abstentions, a majority of 108 votes was required for election. Liesbeth Lijnzaad (Netherlands) (162 votes) was elected.

4. A fourth round of balloting was held for the Latin American and Caribbean States. Costa Rica withdrew the candidate it had nominated. Of 165 ballots cast, with no invalid ballots and four abstentions, a majority of 108 votes was required for election. Óscar Cabello Sarubbi (Paraguay) (161 votes) was elected.

Annex III

Summary of the balloting for the election of the twenty-one members of the Commission on the Limits of the Continental Shelf

The election required one round of balloting. For the African States, of 164 ballots cast, with no invalid ballots and no abstentions, a majority of 110 votes was required for election. Domingos de Carvalho Viana Moreira (Angola) (155 votes), Estevão Stefane Mahanjane (Mozambique) (155 votes), Simon Njuguna (Kenya) (155 votes), Lawrence Folajimi Awosika (Nigeria) (154 votes), Clodette Raharimananirina (Madagascar) (154 votes) and Emmanuel Kalngui (Cameroon) (151 votes) were elected. For the Asia-Pacific States, of 164 ballots cast, with one invalid ballot and no abstentions, a majority of 109 votes was required for election. Toshitsugu Yamazaki (Japan) (159 votes), Adnan Rashid Nasser Al-Azri (Oman) (157 votes), Wenzheng Lyu (China) (157 votes), Mazlan bin Madon (Malaysia) (156 votes) and Yong Ahn Park (Republic of Korea) (155 votes) were elected. For the Latin American and Caribbean States, of 164 ballots cast, with no invalid ballots and one abstention, a majority of 109 votes was required for election. Jair Alberto Ribas Marques (Brazil) (161 votes), Wanda-Lee De Landro-Clarke (Trinidad and Tobago) (160 votes), Gonzalo Alejandro Yañez Carrizo (Chile) (158 votes) and Carlos Marcelo Paterlini (Argentina) (157 votes) were elected. For the Eastern European States, of 164 ballots cast, with no invalid ballots and one abstention, a majority of 109 votes was required for election. Marcin Mazurowski (Poland) (159 votes) and Ivan F. Glumov (Russian Federation) (157 votes) were elected. For the Western European and other States, of 164 ballots cast, with no invalid ballots and no abstentions, a majority of 110 votes was required for election. Aldino Campos (Portugal) (162 votes), Martin Vang Heinesen (Denmark) (157 votes) and David Cole Mosher (Canada) (157 votes) were elected.